

OFFICE OF THE CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
280 SOUTH FIRST STREET, ROOM 2112
SAN JOSE, CALIFORNIA 95113-3095

FILED

2008 JUL 15 P 05

RICHARD W. WICK
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. 951

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE \$300

951133095005

NIXIE 951 4C 1 75 07/14/08

RETURN TO SENDER
NO SUCH NUMBER
UNABLE TO FORWARD

BC: 95113309500 *2095-01264-11-36

951133095005



UNITED STATES POSTAGE
02 1A
0004327683 JUL 11 2008
MAILED FROM ZIP CODE 95113
\$00.590
METAL BOXES

Raul Rivera Chavez
P. O. Box 95023
San Jose, CA 95116

CV08-00803 JW

FILED

JUL 09 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RAUL RIVERA CHAVEZ,
Petitioner,

vs.

PEOPLE OF THE STATE OF
CALIFORNIA, et al.,
Respondents.

No. C 08-00803 JW (PR)

ORDER OF DISMISSAL

Petitioner initiated this pro se action on February 5, 2008. On the same day and again on April 18, 2008, the clerk of the Court sent petitioner a notice regarding his deficient in forma pauperis application. The clerk sent the notices, respectively, to addresses provided by petitioner: the first to an address in Campbell and the second to a P.O. Box in San Jose. On March 4, 2008 and April 25, 2008, respectively, the notices were returned as undeliverable.

Pursuant to Northern District Local Rule 3-11, a party proceeding pro se whose address changes while an action is pending must promptly file and serve upon all opposing parties a notice of change of address specifying the new address. See L.R. 3- 11(a). The Court may, without prejudice, dismiss a complaint or strike an answer when: (1) mail directed to the attorney or the pro se party by the court has

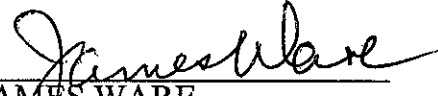
Order of Dismissal

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1 been returned to the court as not deliverable, and (2) the court fails to receive within
2 sixty days of this return a written communication from the attorney or pro se party
3 indicating a current address. See L.R. 3-11(b).

4 It has now been more than sixty days since the clerk's second notice was
5 returned as undeliverable on April 25, 2008. The Court has not received a notice
6 from petitioner of a new address. Accordingly, this action is DISMISSED without
7 prejudice. See Fed. R. Civ. P. 41(b); L.R. 3-11(b).

8
9 DATED: JUN 3 0 2008


JAMES WARE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

RAUL RIVERA CHAVEZ,
Petitioner,

Case Number: CV08-00803 JW

CERTIFICATE OF SERVICE

v.

PEOPLE OF STATE OF CALIFORNIA, et al.,
Respondents.
_____ /

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 7/9/2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Raul Rivera Chavez
P. O. Box 95023
San Jose, CA 95116

Dated: 7/9/2008

Richard W. Wieking, Clerk
/s/ By: Elizabeth Garcia, Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RAUL RIVERA CHAVEZ,

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vs.

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Respondents.

No. C 08-00803 JW (PR)


JUDGMENT

For the reasons stated on the order of dismissal, this action is DISMISSED.

See Fed. R. Civ. P. 41(b); L.R. 3-11(b). Judgment is entered accordingly.

The clerk shall close the file.

DATED: JUN 30 2008


JAMES WARE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

RAUL RIVERA CHAVEZ,
Petitioner,

Case Number: CV08-00803 JW

CERTIFICATE OF SERVICE

v.

PEOPLE OF STATE OF CALIFORNIA, et al.,
Respondents.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 7/1/08, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Raul Rivera Chavez
P. O. Box 95023
San Jose, CA 95116

Dated: 7/1/08

Richard W. Wisking, Clerk
By: Elizabeth Garcia, Deputy Clerk